

Atty's Docket: Bayer 10,218  
USSN 09/719,320  
HINZ et al.

**CONDITIONAL PETITION FOR EXTENSION OF TIME**

If any extension of time for this response is required, Applicants request that this be considered a petition therefore. Please charge the required fee to Deposit Account No. 14-1263.

**ADDITIONAL FEES**

Please charge any further insufficiency of fees, or credit any excess to Deposit Account No. 14-1263.

**REMARKS**

Claims 1-10, 12 and 13 are pending in the application.

Claim 1 has been amended to include the structures which contribute to B, as indicated in the office action.

With respect to Examiner's statement about claim element 1(d), the undersigned is not quite clear what is the source of ambiguity. This limitation is directed toward group E, wherein the constituents may be linear, or cyclic - the group being of  $n$  carbon atoms in length; 1st line of 1(d). Because E bears  $R_e$  groups, the ends of one or more  $R_e$  groups may form a 3-7 membered ring.

Although this limitation is textually "dense," it is respectfully suggested that it is set out clearly so that one in the art could understand the limitation's metes and bounds.

Claims 1-4 have been amended to recite that "at least one pharmaceutically acceptable compound," as suggested by Examiner.

It is respectfully requested that the rejections under § 112 be withdrawn.

**Enablement**

Examiner has alleged that the specification does not enable claims directed toward prevention of cerebral disease. Examiner's attention is directed to the Declaration Under Rule 132 submitted herewith.

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The declaration describes experiments in the specification wherein pretreatment of untraumatized animals prior to head trauma, lessened the intracranial pressure. This is completely consistent with prevention of cerebral disease.

Respectfully, this rejection should be withdrawn.

CONCLUSION

Applicants have responded to all rejections and objections raised by Examiner. The amendments do not add new matter or raise new issues as they merely adopt Examiner's suggestions.

In addition, it is clear that the method claims directed toward preventing cerebral disease are enabled as described in both the specification and the Rule 132 Declaration.

Allowance of the claims is respectfully solicited.

Respectfully Submitted,

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